

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

Municipal Administration and Urban Development Department - Vijayawada Municipal Corporation, Vijayawada – Cancellation of Council Resolution No.134, dated 6.8.2009 – Orders – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (H1) DEPARTMENT

**G.O.Rt.No. 973,**

**Dated:21.08.2010.**

**Read the following:-**

- 1) From the Commissioner, Municipal Corporation, Vijayawada, Letter No.F1-163019/2008, dated 17.09.2009.
- 2) Government Memo No.15787/K2/2009-1, Municipal Administration and Urban Development Department, dated 23.01.2010.
- 3) From the Mayor, Vijayawada Municipal Corporation, Vijayawada, Letter No.17/2010, dated 15.02.2010.
- 4) Government Memo.No.15787/K2/2009-2, Municipal Administration and Urban Development Department, dated 6.5.2010.
- 5) From the Mayor, Vijayawada Municipal Corporation, Vijayawada, Letter No.48/2010, dated 15.05.2010.
- 6) Government Memo.No.15787/K2/2009-3, Municipal Administration and Urban Development Department, dated 14.6.2010.
- 7) From the Mayor, Vijayawada Municipal Corporation, Vijayawada, Letter No.48/2010, dated 25.06.2010.

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**ORDER:-**

Whereas, in the letter 1<sup>st</sup> read above, the Commissioner, Vijayawada Municipal Corporation, Vijayawada has reported that Vijayawada Municipal Corporation is spending huge amounts for Solid Waste Management in the City. The recovery of the Operation & Maintenance charges is very low at one third of the total expenditure. The Vijayawada Municipal Corporation is already facing many financial constraints in meeting various requirements and also committed to reforms under JNNURM for 100% recovery of O&M expenditure for various services provided by the Vijayawada Municipal Corporation. The Municipal Council had also earlier accepted for JNNURM project including reforms;

2. And whereas, the Commissioner, Vijayawada Municipal Corporation, Vijayawada has further reported that an office proposal was placed before the Municipal Council, with estimated service / user charges of Rs.8.12 Cr per Annum. The Vijayawada Municipal Council vide CR.No.134, dated 06.08.2009 had rejected the proposal resolving that the Vijayawada Municipal Corporation is already collecting various taxes from the citizens. Such action of the council rejecting the office proposals involving financial matter will not only worsen the financial situation but also leave a message that no service charges will be levied for any service of Vijayawada Municipal Corporation and is contrary to the spirit of reforms undertaken by the Vijayawada Municipal Corporation;

3. And whereas, the Commissioner, Vijayawada Municipal Corporation, Vijayawada has finally requested the Government to cancel the Council Resolution No.134, dated 06.08.2009 by invoking provisions under section 679-A of HMC Act 1955 so that user charges can be levied for Municipal Solid Waste Management in the best interest of Vijayawada Municipal Corporation;

4. And whereas, Government consider that it is appropriate to cancel the Council Resolution No.134, dated 06.08.2009 of Vijayawada Municipal Corporation under sub-section (1) of Section 679-A (1) of Greater Hyderabad Municipal Corporation Act, 1955 (AP Act II of 1956), read with section 7 of the Vijayawada Municipal Corporation Act, 1981 (AP Act 23/1981) as it is contrary to the spirit of reforms undertaken by the Vijayawada Municipal Corporation and also causes financial loss to the Corporation;

5. And whereas, in the letters 2<sup>nd</sup>, 4<sup>th</sup> and 6<sup>th</sup> cited, show cause notices have been issued to the Mayor, Vijayawada Municipal Corporation to explain within 15 days from the date of receipt of this notice as to why its Council Resolution No.134, dated 06.08.2009 should not be cancelled, as it is contrary to the spirit of reforms undertaken by the Vijayawada Municipal Corporation and also causes financial loss to the Corporation;

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6. And whereas, in the letter 7<sup>th</sup> read above, the Mayor, Vijayawada Municipal Corporation has reported that at present Under Ground Drainage works taken up under Jawaharlal Nehru National Urban Renewal Mission are in rapid progress covering more than 70% of the Vijayawada Municipal Corporation area. Due to the same, the citizens of Vijayawada are facing inconvenience in Transportation and attending other daily routine affairs. All Under Ground Drainage works will be finished by December, 2010 as revealed during review meetings conducted with Vijayawada Municipal Corporation officers. Most of the Corporators are of the opinion that the proposed levy of user charges under Solid Waste Management may be taken up only after total completion of the Under Ground Drainage works. The citizens of Vijayawada City are also expressing the same opinion that it will be apt only to levy such user charges after completion of the Under Ground Drainage and providing other amenities. Further, it is felt that the tariff proposed by the Commissioner, also needs a re-look into the suggested slabs so as to provide relief to the poorer and unaffordable sections of the population of Vijayawada city. Therefore, they have decided to levy and collect the user charges of Solid Waste Management from December, 2010 onwards before the next council meeting and requested the Government to re-examine the issue and cancel the said show-cause notice to enable the Council of Vijayawada Municipal Corporation to consider and approval of user charges on its own;

7. And whereas, Government after careful consideration of the matter decided to cancel the above council resolution;

8. Now, therefore, in exercise of the powers conferred under sub-section (1) of Section 679-A(1) of Greater Hyderabad Municipal Corporations Act, 1955 (AP Act II of 1956), read with section 7 of the Vijayawada Municipal Corporation Act, 1981 (AP Act 23/1981), the Government hereby cancel the Council Resolution No.134, dated 06.08.2009 of Vijayawada Municipal Corporation;

9. The Commissioner, Vijayawada Municipal Corporation shall take further necessary action to collect the proposed amount as additional fee on account of Solid Waste Management.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**T.S.APPA RAO,  
PRINCIPAL SECRETARY TO GOVERNMENT (UD).**

To  
The Mayor,  
Vijayawada Municipal Corporation,  
Vijayawada.

The Commissioner, Vijayawada Municipal Corporation, Vijayawada.

Copy to:

The Special Secretary to CM.  
The Private Secretary to M(MA&UD).  
The Private Secretary to Principal Secretary to Govt., (UD), MA&UD Department.  
The Private Secretary to Principal Secretary to Govt., (MA), MA&UD Department.  
Law (A) Department.  
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER